

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	NO. 2:19-CR-00013
)	
)	CHIEF JUDGE CRENSHAW
GEORGIANNA GIAMPIETRO)	

GOVERNMENT’S POSITION WITH RESPECT TO SENTENCING

COMES NOW the United States of America, by and through the undersigned Assistant United States Attorney, and respectfully submits, with one noted exception below, the government has no reported substantive objections to the Presentence Investigation Report prepared in this matter by the United States Probation Office and the Guidelines calculations contained therein. Given the extensive nature of this investigation and in anticipation of the government’s response to the defendant’s expected factual objections, the government notes that it may seek to supplement the report with some additional factual information. Any requested supplementation, however, would have no bearing on the government’s position on the Guidelines calculations.

Objection: The government has objected to the supervised release term included in the original report. Specifically, in paragraph 67, the supervised release term is listed as 0-3 years, which is typically correct for most felony offenses. However, in this case, pursuant to 18 USC § 3583(j), the Court may impose a term of supervised release for any offense listed in section § 2332b(g)(5)(B) of any term of years or life. The statutory offense of conviction, 18 USC § 2339C, is one of the offenses listed in 18 USC § 2332b(g)(5)(B) and, as such, the correct supervised release term is any term of years or life. The parties’ plea agreement correctly states the applicable supervised release term. The Probation Office has been alerted to this objection and intends to correct the report.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on April 29, 2022, I electronically filed a copy of the foregoing document with the Clerk of the Court by using the CM/ECF system, which will send a Notice of Electronic Filing to counsel for the defendant in this case.

/s/ Philip H. Wehby
PHILIP H. WEHBY
Assistant United States Attorney